

**Bethlehem Educational Support Personnel, NEA-New Hampshire and Bethlehem School District**, Decision No. 2010-054 (Case No. E-0093-1).

The Union filed a petition for certification seeking to represent certain District support staff employees. The District objected claiming that the proposed unit inappropriately included both certified and non-certified employees as well as supervisory (RSA 273-A:8, II) and confidential employees (RSA 273-A:1, IX (c)), and lacked a community of interest within the meaning of RSA 273-A:8, I and Pub 302.02.

The proposed unit was approved because there was a sufficient community of interest among the members of the proposed bargaining unit such that it was reasonable for the employees to negotiate jointly. The evidence was insufficient to prove that the Special Education Teacher, the Director of Maintenance, and the Food Service Manager were employees exercising supervisory authority involving significant exercise of discretion within the meaning of RSA 273-A:8, II and that the Administrative Assistant and the Secretary were confidential positions within the meaning of RSA 273-A:1, IX (c).

*Disclaimer: This summary is intended to provide a brief description of the issues in this case and the outcome. The summary is not a substitute for the decision, should not be relied upon in place of the decision, and should not be cited as controlling or relevant authority in PELRB proceedings or other proceedings.*